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RCL
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PATENT
ATTORNEY DOCKET NO.: 041501-5439

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop RCE
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114

Previously submitted:

Please consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on September 4, 2003 (Any unentered amendment(s) referred to above will be entered).

Please consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.

10/29/2003 EFLORES 00000130 500310 09973932

01 FC:1253 840.00 DA
02 FC:1801 770.00 DA



Enclosed:

Supplemental Reply
 Affidavit(s)/Declaration(s)
 Information Disclosure Statement Under 37 C.F.R. § 1.97(b)
 PTO Form 1449 (w/ 5 references attached)
 European Search Report dated January 21, 2003
 Other: _____

2. Miscellaneous

Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

Other: _____.

3. Fees Calculation

(a) RCE Fee required under 37 C.F.R. § 1.17(e)

<input checked="" type="checkbox"/>	\$770.00
<input type="checkbox"/>	\$385.00 (for small entity)

(b) Additional Claims

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. § 1.16(c))	20	minus	20	0	x \$18 each =	+ \$00.00
Independent Claims (37 C.F.R. § 1.16(b))	5	minus	5	0	x \$86 each =	+ \$00.00
[] First presentation of Multiple dependent claim(s)					\$290.00	+ \$00.00
SUB-TOTAL =						\$00.00
Reduction by ½ for filing by a small entity						- \$00.00
TOTAL FEE =						\$00.00

(c) Extension of Time

Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.

Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below.

Total Months <u>Requested</u>	Fee for <u>Extension</u>	Fee for Small Entity
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 420.00	\$210.00
<input checked="" type="checkbox"/> three months	\$ 950.00	\$475.00
<input type="checkbox"/> four months	\$1,480.00	\$740.00

An extension for one month has already been secured on September 4, 2003 and the fee paid therefor of \$110.00 is deducted from the total fee due for the total months of extension now requested. Accordingly, the extension of time fee due with this request is: **\$840.00** (\$950.00 - \$110.00).

If an additional extension of time is required, please consider this a Petition therefor.

4. Fee Payment

Enclosed is a check in the amount of \$_____.

The Commissioner is hereby authorized to charge the Deposit Account No. 50-0310 in the amount of **\$1,610.00**, representing \$770.00 for the RCE filing fee and \$840.00 for the difference between the three-month extension of time fee of \$950.00 and the one-month extension of time fee of \$110.00 already paid in this application on September 4, 2003.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

MORGAN LEWIS & BOCKIUS LLP

Dated: October 28, 2003

By:


Victoria D. Hao
Reg. No. 47,630

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